

### REMARKS

By this Amendment, Claims 1, 2, 5-8, 10, 12, 14, 17-18, 20, 23, 26, 27, 30-33, 35, 37, 39, 42, and 48 are amended. Claims 4, 16, 29, and 41 are cancelled. No new claims are added. Hence, Claims 1-3, 5-15, 17-28, 30-40, 42-53 are pending.

The Examiner is thanked for indicating that Claims 3, 17, 28, 42, and 51-53 contain allowable subject matter.

37 CFR 1.84(o)

The drawing are objected to as failing to show necessary textual features. Accordingly, the drawings are amended to add in the labels requested by the Office Action, thereby obviating the objection.

### THE SPECIFICATION

The specification has been revised to capitalize JAVA, WEBDB, and ORACLE, wherever they occur. Additionally, generic terminology has been inserted, as requested by the Office Action.

The CROSS REFERENCE TO RELATED APPLICATIONS has been updated, as requested by the Office Action.

### OBJECTION TO CLAIMS

Claim 16 was objected to for ending in a colon. Claim 16 is cancelled, thereby obviating the objection.

35 USC §112, SECOND PARAGRAPH

Claims 2, 23, 27, and 48 are rejected under 35 USC §112, second paragraph as being indefinite.

Regarding Claims 2 and 27, the Office Action states,

The limitation “execution of a routine to form one of the web site pages based on the database structures in response to receiving a request for the page” is not clear. Applicants do not explicitly explain/define about the limitation in the specification. Examiner is uncertain about the meaning of the limitation.

Claims 2 and 27 have been revised to recite,

building the web site based on the data in the user site data structure~~The computer-readable medium of claim 26, , wherein said step of building the web site further comprising includes at least translating data in the user site data structure to commands to cause creation, within a database system, of database objects for forming one or more web site pages according to the modified arrangement; creation, within a database system, of database objects for forming one or more web site pages according to the modified arrangement; and execution of executing a routine to form one of the web site pages based on the database structures-objects in response to receiving a request for the page.~~

Thus, as now recited, the executing of the routine is a separate step is not a substep of the building step. Additionally, in the executing step, the phrase “database structures” has been changed to “database objects” to clarify the antecedents. However, regarding the clarity of the claims, 35 USC §112, second paragraph, only requires that the claims “particularly point out and distinctly claim”. The clause in question clearly states that in response to receiving a request for a web page, a routine is executed, which forms a web site page, based on the database structure, and therefore satisfies the requirement of 35 USC §112, second paragraph, that the claims “particularly point out and distinctly claim”.

Although not necessary for satisfying 35 USC §112, second paragraph, support for “building the web site further includes at least translating data in the user site data structure to commands to cause creation, within a database system, of database objects for forming one or more web site pages according to the modified arrangement”, page 46, lines 20-23, state

According to one embodiment, statements within the customer site XML file are used with a translator to convert the statements to commands understood by a database server, as in step 660, described above. The database server responds to the commands by building a database to support those components.

Thus, a translator translates statements within the customer site XML file (a user site data structure) into commands that are understood by the database server. The database server builds the website in response to the commands, and thus the translating of the user site data structure into commands is part of building the website, as recited in Claims 2 and 27.

Similarly, support for the clause “executing a routine to form one of the web site pages based on the database objects in response to receiving a request for the page” may be found in the specification. Specifically, page 71, line 22, refer to a “website building routine”. One manner of building a website is to build web pages that make up the website. For example, building web pages of a website is referenced to on page 19, lines 5 and 6, which refers to a

web site building appliance which provides a wizard for building a series of Web pages....

Thus, the specification includes a website building routine and the building of a page, which one of ordinary skill in the art would have understood to be built by the website building routine. An example, of a web page being generated in response to a request appears on page 42, lines 18-20, which states

a web page for the site is generated from the information stored in the database when a browser requests the page....

Also an example of a web page being generated by a routine based on database structures in response to a request appears on page 45, lines 9-11, which states

For example, if the XML statements in Table 3 represent the customer site XML file [which is the user site data structure] after modifications, then a web site is built using WebDB [a website building routine] based on the information in Table 3 and in Table 2 [database structures]. WebDB stores information for forming web pages in a database and constructs the pages in response to receiving a request from a visitor’s browser for the page, identified by its URL.

Thus, the clause “execution of a routine to form one of the web site pages based on the database structures in response to receiving a request for the page” has support in the specification, and meets 35 USC §112, second paragraph, because its meaning is clear from its wording.

Claims 23 and 48 are amended to clarify that “the supplier” is the supplier of the component and not the supplier XML.

The Office Action states:

The limitation “supplier of a component” is not .... clearly defined in the specification.

However, the specification (at page 44, lines 23 and 24) states,

The web site building wizard appliance stores a large number of such components so that a novice user does not have to reinvent them.

Clearly, in the specification the website building wizard supplies the components that it stores to the one building the website (e.g., a “novice”). Based on the incorrect premise that the specification does not describe who the supplier is, the Office Action additionally states,

The limitation “supplier of a component” is not clear. ... Since the meaning of the claim’s limitation can indicate to (sic) different sources that supply a component, therefore the meets and bounds of the invention cannot be ascertained.

Claims 23 and 48 state:

the method further comprises the step of distributing a copy of the first DTD document to *a supplier of a component* for web pages; and said step of creating the first data structure further comprises receiving a supplier XML document from *the supplier of the component* including XML element types defined in the first DTD....

The phrase “a supplier of the component” is self-explanatory, and means any supplier of the component (Claims 23 and 48 are not limited to the supplier being the web site wizard disclosed in the specification). Although the scope of the phrase “supplier of a component” (in Claims 23 and 48) may be broad, breadth is not indefiniteness. The fact that a claim limitation “supplier of

a component” is generic to many different suppliers does not make this phrase indefinite, but broad (See MPEP 2173.04, entitled, “Breadth Is Not Indefiniteness”).

35 USC §102 AND §103

Claims 1, 2, 10-16, 24-27, 35-41, and 49-50 are rejected under 35 USC §102(e) as allegedly anticipated by Bernardo et al. (US Patent No. 6,185,587).

Claims 4-8, 18-21, 29-33, and 43-46 are rejected under 35 USC §103(a) as allegedly unpatentable over Bernardo et al. in view of Mary et al. (The VLDB Journal (2000) 9: pp. 38-55).

Claims 9, 22, 34, and 47 are rejected under 35 USC §103(a) as allegedly unpatentable over Bernardo et al. in view of Mary et al. and Call (US Patent No. 6,154,738).

INDEPENDENT CLAIMS 1, 2, 14, 26, 27, AND 39

Claims 1, 2, 14, 26, 27, and 39 recite,

creating a first data structure holding data indicating a first arrangement of components, the first arrangement associated with a first type of web site;  
presenting a user with a series of one or more user interfaces including controls for modifying the first arrangement of components;  
receiving input from the user in response to user interaction with the controls on the series of one or more interfaces; and  
in response to the input from the user, automatically performing the steps of creating a user site data structure holding data indicating a modified arrangement of components based on the input from the user, and building the web site based on the data in the user site data structure.

Regarding the last five lines of the above claims, the Office Action cites column 7, lines 55 through column 8, line 32, column 9, lines 5-29, and column 10, lines 25-59. However, none of the cited sections disclose the recited elements.

Specifically, in contrast to Claims 1, 2, 14, 26, 27, 39, column 7, line 55 through column 8, line 32 describe steps 12-30 of the method of FIG. 3. In step 12 templates are identified. The templates are associated with chosen features. In step 14, a user is prompted for data to complete the template fields. In step 16, the data is entered. In step 18, a site creator signals a tool to finish the creation of the website. In step 20, the profile fields are populated with data. In step 22, pages are created. Next, in step 30, the created web pages are forwarded to a server, which in turn presents the web pages to a user for approval. Next, in step 24, the pages are published.

Although column 7, line 55, through column 8, line 32, disclose creating web pages using templates in response to user input, there is no disclosure in this passage of a first data structure holding data indicating a first arrangement and of a second data structure indicating a modified arrangement. Even if the template disclosed were the claimed data structure, the template disclosed cannot be both the first data structure and the second data structure. Specifically, in contrast to Claim 1, column 7, line 55 through column 8, line 32 do not disclose two data structures.

In column 9, lines 5-29, cited by the Office Action, Bernardo discloses an authorized user making changes to a website. The user is given the option of modifying an individual area of the website or the entire website. This feature is enabled by storing a logo field as an object linked to each page containing the logo as part of the one template disclosed in conjunction with the method of FIG. 3. Bernardo continues discussing a workflow for routing the changes to multiple users for their contributions and review. However, Bernardo does not disclose creating two data structures one for holding data indicating a first arrangement and the other for holding data indicating a modified arrangement.

In column 10, lines 10-19, a preview function is discussed that allows the user to view the web page prior to its creation. However, previewing a page prior to its creation is very different

than creating two data structures one for holding data indicating a first arrangement and the other for holding data indicating a modified arrangement.

In column 10, lines 20-60, Bernardo begin discussing some advantages of their method. In the discussion, Bernardo et al explain that a template may include profiles. However, the profiles are part of the same template discussed above. Additionally, Bernardo disclose, “updating the profile documents”. Thus, rather than creating a first data structure for holding data of a first arrangement and then creating a second data structure for holding data of a modified arrangement, profile documents within an original template are modified.

#### CLAIMS 1 AND 26

Claims 1 and 26 now recite,

wherein the first data structure is a first extensible markup language (XML) document that defines a template web site; and  
wherein the user site data structure is a second XML document produced by modifying the first XML document based on said user instructions.

The Office Action combines Mary et al. with Bernardo, and states that Mary et al. “suggests Site Generator – section 2.4”. The Office Action also cites an excerpt from section 6.3 of page 51, which discusses XML and XSLT decoupling the page content and page presentation. However, the motivation to combine is deficient, because the Office Action does not explain why decoupling page presentation and page content or why making it possible for applications other than browsers to process the page content is desirable within the context of Bernardo et al.

Mary et al. (at page 51) state,

XML, XSLT, and several XML query languages are already influencing Web-site development. In particular, XML and XSLT decouple page content from page presentation, which makes it possible for applications

other than browsers to process page content. Although STRUDEL predates XML, its data model, query language, and template language are so similar to XML, several query languages for XML, and XSLT, that the translation from STRUDEL into these more widely used languages can be automated completely.

In other words Mary et al. teach converting STRUDEL into XML. However, Mary et al. (at page 39, left column, last full paragraph) also state,

We emphasize that STRUDEL is a site-implementation tool, not an environment for Web-site design, nor is it intended for non-technical users or for development of any Web-based application.

In other words, Mary et al. state that their system, STRUDEL, is not appropriate for non-technical users or Web-site design. In contrast, Bernardo et al. (at column 2, lines 52-57) state,

Another object of the invention is to provide a tool for creating a Web site with context-sensitive help functions using HTML templates to minimize or eliminate the need for a Web site creator to know or use HTML or other programming languages to create a Web site or help documents pertaining to the finished web site.

Thus, Bernardo et al.'s system is for creating a website without programming, and therefore is for non-technical users and Web site design, in contrast to STRUDEL. Accordingly, it would not be obvious to use the teaching of Mary et al. to modify the system of Bernardo et al., because STRUDEL is too complex for Bernardo et al.'s user, since Bernardo et al.'s user does not know how to program.

Even if the passage cited by the Office Action of Mary et al. were to suggest using XML within the system of Bernardo et al., the cited passage does not teach creating a website by modifying an XML document, or by modifying a first XML document to create a user site XML document, as now recited in Claims 1 and 26.

CLAIMS 2, 14, 27, AND 39

Claims 2, 14, 27, and 39, recite,



said step of building the web site further includes translating data in the user site data structure to commands....

Regarding Claims 2, 14, 27, and 39, the Office Action cites column 5, lines 42-65, FIGs. 4 and 9-12, column 8, lines 34-61, column 9, lines 5-29, column 9, line 63, and column 10, line 10.

Although these passages discuss creating and storing objects associated with a website being built, there is not any discussion of how the building is accomplished except that when building a website “images may added without writing code”. Presumably, the images are also added without the software writing or issuing commands. Specifically, there is no disclosure in the cited passages of translating data in a user site into “commands” that are used to build the web site. Presumably, the system of Bernardo runs a program with condition statements (e.g., if statements) that are used to determine how to build the website, and the user input is used as input for the condition statements. In contrast to Bernardo et al., the invention of Claims 2, 14, 27, and 39, issues command that are executed, and the execution of the commands build the web site.

#### DEPENDENT CLAIMS (AND REMAINING FEATURES OF THE INDEPENDENT CLAIMS)

The Office Action does not rely upon Call for curing the deficiencies pointed out above regarding Bernardo et al. and Mary et al. Each of the remaining features of the independent claims and each of the dependent Claims 5-13, 15, 17-26, 28, 30-40, and 42-50 contain subject matter that is independently patentable. For example, Claims 5, 19, 30, and 44 are dependent on Claims 1, 18, 26, and 43, respectively. The resulting method has two steps performed using XSLT and other steps performed using XML. Although Mary may discuss usage of XML and of XSLT, Mary does not discuss using both together or how to decide when to use which.

Consequently, Mary does not discuss using XML for the first data structure, while using XSLT

for forming a document displayable by a web browser process operated by the user and for the step of presenting a user with a series of one or more user interfaces, as recited in Claims 5, 19, 30, and 44.

In view of the deficiencies in the references relied upon above, the remaining features in the claims will not be argued at this time to expedite the prosecution.

## CONCLUSION

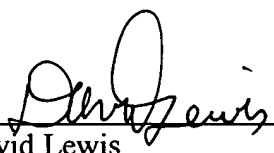
The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

No extension fee is believed to be due. However, to the extent necessary, Applicants petition for an extension of time under 37 C.F.R. § 1.136. The Commissioner is authorized to charge any fee that may be due in relation to this application to our Deposit Account No. 50-1302.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

Dated: May 3, 2004

  
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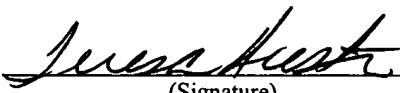
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